Supreme Court, U.S.
FILED
DEC 29 2010
OFFICE OF THE CLERK

No. 10-455

IN THE

Supreme Court of the United States

RORY M. WALSH, INDIVIDUALLY, AND
AS NATURAL GUARDIAN FOR CRW, A MINOR, AND
AS NATURAL GUARDIAN FOR SJW, A MINOR

Petitioners

v.

DR. ROBERT KRANTZ
THE DALLASTOWN AREA SCHOOL DISTRICT
JUDY KEENEY

Respondents

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

PETITION FOR REHEARING

Rory M. Walsh
pro se
715 S. Hampton at Waterford
York, Pa. 17402
(717) 755-1251

QUESTIONS PRESENTED

At all levels within the Federal Court System, the Rules have been set aside and the slovenly filings of the opposing counsel, or, in the case of Attorney Gicking; his OUTRIGHT CRIMES, have been overlooked to deny Petitioner Walsh and his sons justice. The laws in the United States do not belong to the team of lawyers that charge the most exorbitant fees, but to the people, particularly the veterans that defend the Constitution, with little or no thanks for their selfless service. Petitioner Walsh is one of those veterans, and served in the Southwest Asia Theater, the majority of the time covered in oil from the Kuwait Oil Fires.

With these lawless educators continuing to be advised by a lawyer that has not even entered his appearance, rules continue to be violated and there are **now five (5) issues** for the Supreme Court to consider, and issue certiorari for;

1. Whether an abusive school principal can eavesdrop on a private telephone conversation and then confront the persons legally on the hard-wired telephone with the contents of that same protected conversation, this being the third (3rd) private telephone call he illegally intercepted/manipulated. See *Katz v United States* 389 US 347 (1967).

2. Whether the federal district court can, in an act of speculative judicial activism, dream up his own conclusion, unsupported by any evidence or testimony, to throw the case out and award the defendants summary judgment. See FRAP 10(b)(2); Unsupported Finding or Conclusion. The 3rd Circuit failed to rule on this issue.

3. Whether the 3rd Circuit Court of Appeals, after petitioner caught the appellees planting evidence in the 3rd Circuit, then making it look like Petitioner Walsh did it, fail to remand this case. See 18 U.S.C. §1512 (b). This is a serious crime that continues uninvestigated and unpunished. This is an incredible act of obstruction of justice, before the 3rd Circuit Court of Appeals. The 3rd Circuit failed to take **ANY** positive assertive action on this crime before it.

4. Whether the Supreme Court should even consider the reply brief filed by the Respondents using a person who has been dead over eleven (11) years. Attorney Carolyn Thomas, Registration Number 1488600 is already deceased, with her death recorded by the Attorney Registration office for New York in 1999, hence she has been dead over eleven (11) years).

5. In litigation, the retained Dallastown solicitor; Jeffrey L. Rehmeyer III, Pennsylvania Attorney Registration Number 80210 has now attempted to again send Petitioner Walsh correspondence. Both CRW and SJW are honor students, and all correspondence must go through appointed counsel. The Supreme Court should grant certiorari so that Attorney Rehmeyer's continuing to threaten Petitioner Walsh and his sons, **in litigation**, is heard before a jury. The 6th Amendment guarantee's the respondents the right to counsel, and Petitioner Walsh must respect that right and send all correspondence to their appointed counsel. See *United States v Wiest* 09-1389 AF (8th Cir 2010). The right to counsel is fundamental to our system of justice. *United States v. Palenius*, 2 M.J. 86 (C.M.A. 1977). Attorney Rehmeyer, throughout this litigation has had great difficulty correctly interpreting the Constitution for

his clients, upholding it for the students and parents of the Dallastown Area School District, and obviously feels it does not apply to either his clients or Petitioner Walsh and his sons. Certiorari should be granted so that Attorney Rehmeyer's continual interference in this case is heard before a jury.

LIST OF PARTIES

(in addition to those listed on the cover page)

Mrs. Shari A. Young
Dr. Sue A. Cathcart
Ms. Kelley Heisey
Dr. Stewart Weinberg
Ms. Cathy Stone
Mr. Greg Anderson
Ms. Carol Stein

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Rory M. Walsh, and his sons CRW and SJW, respectfully file this Petition for Rehearing in accordance with Supreme Court Rule 44.

OPINIONS ALREADY FILED

The opinion of the 3rd Circuit and the decisions of the lower court are already before the Supreme Court, enclosed in Petition Walsh's Petition for Writ of Certiorari of 1 October 2010, filed on 4 October 2010.

JURISDICTION

Jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

CONSTITUTIONAL, STATUTORY AND OTHER PROVISIONS INVOLVED

This case involves the illegal intercept of a private telephone conversation between a single father and his son by a school principal, who then made a record of the contents of that same protected telephone conversation and confronted Petitioner Walsh with the contents, in violation of the 4th Amendment. See *Katz v United States* 389 US 347 (1967). This being the third instance this same abusive school principal illegally intercepted/redirected private telephone calls between petitioner Walsh and his son minor CRW.

Now, within their filed Brief in Opposition, respondent Krantz and his counsel have committed fraud upon the Supreme Court by using a long dead attorney to file their brief. See 18 USC §1503 and § 495.

CONCISE SUPPLEMENTAL BRIEF STATEMENT

Within the attached appendix, at pages 1a through 3a, is the respondents affidavit of Service, sent from New York, by an attorney; Carolyn Thomas, who has yet to file her appearance. Attorney Carolyn Thomas, NY registration number 1488600 (there are no other Carolyn Thomas's registered as attorneys with the state of New York), as shown by the document at Appendix 4a, is deceased. This affidavit of service drew Petitioner Walsh's suspicion for a number of reasons; 1) it is not written on the gaudy MDWC&G letterhead stationary; 2) it has been mailed from New York, when this action originated and has been fought in Pennsylvania, 3); Attorney Thomas has never yet entered her appearance, and 4); it is missing her address, and telephone number required. With so many errors, Petitioner Walsh looked deeper and discovered; **Attorney Carolyn Thomas 1488600 is dead, and has been dead since 1999**. This is fraud upon the court, the Supreme Court of the United States, by respondent Krantz and his counsel. See also 18 USC § 1503. There are no provisions for the Supreme Court to consider filings by attorneys that have been dead eleven (11) years.

With Carolyn Thomas being dead eleven (11) years already, this is then a forged document (the affidavit of service before the Supreme Court bears the forgery). This is now an additional crime; a violation of 18 USC § 495. Two counts; the forgery, and uttering a forged document, with the intent to defraud the Supreme Court. This Honorable Court should act accordingly regarding Attorney James W. Gicking's latest crime,

and strip him of his ability to practice this type of law again.

What is next? The lower court lied, Atty Gicking admitted to his documented obstruction of justice before the 3rd Circuit to the Pennsylvania Disciplinary Counsel, and now he uses a dead person to file at the Supreme Court. What is next? Is this the next episode for "Twilight?" Do Veterans have to also fight zombies and dead attorneys to get justice?

In litigation, the retained Dallastown solicitor; Attorney Jeffrey L. Rehmeyer III, Pennsylvania Attorney Registration Number 80210, has now attempted to again send Petitioner Walsh correspondence. Both CRW and SJW are honor students, and all correspondence must go through appointed counsel. The Supreme Court should grant certiorari so that Attorney Rehmeyer's continuing to threaten Petitioner Walsh and his sons, **in litigation**, is heard before a jury. The 6th Amendment guarantee's the respondents the right to counsel, and Petitioner Walsh must respect that right and send all correspondence to their appointed counsel. See *United States v Wiest* 09-1389 AF (8th Cir 2010). The right to counsel is fundamental to our system of justice. *United States v Palenius*, 2 M.J. 86 (C.M.A. 1977).

Attorney Rehmeyer, throughout this litigation has had great difficulty correctly interpreting the Constitution for his clients, upholding it for the students and parents of the Dallastown Area School District, and obviously feels it does not apply to either his clients or Petitioner Walsh and his sons. Attorney Rehmeyer seems to think he represents the York County District Attorney, yet has shown no credentials he does so. Next Attorney Rehmeyer thinks that contacting Dr. Krantz and the employees that were present on 29 Mar 06 when Krantz illegally eavesdropped on a private

conversation, as something approaching an impartial investigation. It does not. Now, third, he has attempted to serve Petitioner Walsh documents, in litigation, again ignoring the Constitution of the United States and his own clients; the respondents, 6th Amendment rights. Petitioner Walsh has already deposed Attorney Rehmeyer and looks forward to questioning him on the witness stand due to his continual interference in this action and poor legal guidance to the Dallastown Area School District.

Certiorari should be granted so that Attorney Rehmeyer's continual interference in this case is heard before a jury.

CONCLUSION

No matter what the error, no matter what the crime, the Federal Court System couldn't care less about this travesty of justice. Attorneys O'Donnell and Rehmeyer both promulgated official documents and case filings that the lower court stated "elucidated" Petitioner Walsh's claims. In the face of such poor filings and poor legal tactics, the lower court then had to conjure up his own reason to deny Walsh's claims, see FRAP 10(b)(2); Unsupported Findings or Conclusion. The 3rd Circuit Court of Appeals failed to rule on this presented issue. Now, the Supreme Court has allowed respondent Krantz to file his Reply Brief using an attorney that has been dead 11 years, committing fraud upon the Supreme Court, see 18 USC § 495; both the forgery and uttering a forged document.

Attorney Gicking 46609 is supposed to be an officer of the court. With this latest crime, the Supreme Court should strip him of his ability to practice law and punish him to the full extent of the law for his committing fraud before the highest court in the land.

IN FIVE (5) YEARS BEFORE THE FEDERAL COURT SYSTEM, PETITIONER WALSH AND HIS SONS HAVE NO RIGHTS, DESPITE HIS SELFLESS SERVICE IN IRAQ, THE MAJORITY OF THE TIME COVERED IN OIL FROM THE KUWAIT OIL FIRES. VETERANS AND THEIR CHILDREN HAVE NO RIGHTS IN THE UNITED STATES OF AMERICA, THAT HAS BEEN PROVEN WITHIN THE FEDERAL COURT IN THE MIDDLE DISTRICT OF PENNSYLVANIA IN HARRISBURG, THE 3RD CIRCUIT COURT OF APPEALS, AND NOW BEFORE THE SUPREME COURT. NONE, AND ALL PERSONS WHO ARE CONSIDERING JOINING THE MILITARY SHOULD BE WARNED OF THIS FACT. DRUG-DEALING, NOTORIOUS, CRIMINALS AND PEDOPHILES HAVE MORE RIGHTS IN THE UNITED STATES THEN DECORATED VETERANS, ESPECIALLY THOSE DECORATED FOR WAR-TIME SERVICE LIKE PETITIONER WALSH WHOSE RIGHTS ARE NON-EXISTANT.

THE UNITED STATES HAS NOT DESCENDED INTO ROVING BANDS OF VIGILANTES, WITH THE LAW ONLY BEING APPLIED TO THE HIGHEST BIDDER OR TO THE MOST OUTRAGEOUS ACTS OF FRAUD BEFORE EACH COURT. THE LAW IS NOT THE EXCLUSIVE JURISDICTION AND PROVINCE OF EXPENSIVE LAW FIRMS AND BENT EDUCATORS THAT CONTINUE TO LINE THEIR POCKETS WITH PUBLIC FUNDS.

Real brave educators, pushing around a 12 year old. Look who is left in the Dallastown Area School District, not Dr. Krantz, not Shari Young, and not Kelly Heisey. Judy Keeney retired. Petitioner Walsh's

sons, both honor students, continue to progress through these hostile schools.

THE SUPREME COURT SHOULD GRANT CERTIORARI IN THIS CASE.

Semper Fidelis,

/ Rory M. Walsh

Captain Rory M. Walsh USMCR (Ret.)
715 S. Hampton at Waterford
York, Pa. 17402
(717) 755-1251
Pro se

Appendix A

AFFIDAVIT OF SERVICE

SUPREME COURT OF THE UNITED STATES

No. 10-455

RORY M. WALSH, Individually, and as Natural Guardian of C.R.W., a minor, and as Natural Guardian of S.J.W., a minor,

Petitioners

v.

Dr. Robert Krantz, the Dallastown Area School District, Judy Keeney, et al

Respondents

STATE OF NEW YORK

COUNTY OF NEW YORK

I, Carolyn Thomas, being duly sworn according to law and being over the age of 18, upon my oath depose and say that:

I am retained counsel of Record for Respondents.

That on the 4th day of November, 2010, I served the within *BRIEF IN OPPOSITION* in the above-

captioned matter upon:
Rory M. Walsh
715 S. Hampton at Waterford
York, Pa. 17402
(717) 755-1251

by depositing three copies of same, enclosed in a post-paid, properly addressed wrapper, in an official depository by the United States Postal Service, via first-class mail.

That on the same date as above, I sent to this Court forty copies of the within *BRIEF IN OPPOSITION* through the United States Postal Service by Express mail, postage prepaid.

All parties required to be served have been served.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4th day of November, 2010.

_____

Carolyn Thomas

Sworn to and subscribed before me this 4th day of November, 2010.

_____

Elias Melendez

Elias Melendez
Notary Public, State of New York
No. 24-4799601
Qualified in Kings County
Commission Expires Aug. 31, 2014

#233141

New York State Unified Court System

To search you must enter at least the first character of the Attorney's first name OR the first character of the Attorney's middle name AND the first character of the last name. To narrow your search enter the Attorney's full name.

Required Fields:

First Name: Carolyn

Middle Name:

Last Name: Thomas

Sort by:

- o City
- • Last Name
- o State
- Registration Number
- Registration Status
- Year Admitted

Search Results: 1 Returned

	Attorney Name *(Click name for details)*	**Registration Number**	**City**	**State**	**Year Admitted**	**Registration Status**
1	Carolyn Joan Thomas	1488600			1979	Deceased

Search Again

If the name of the attorney you are searching for does not appear, please try again with a different spelling. In addition, please be advised that attorneys listed in this database are listed by the name that corresponds to their name in the Appellate Division Admissions file. There are attorneys who currently use a name that differsfrom the name under which they were admitted. If you need additional information, please contact the NYS Office of Court Administration, Attorney Registration Unit at 212-428-2800 or email at attyreg@courts.state.ny.us.

IN THE SUPREME COURT OF THE UNITED STATES

No. 10-455

Rory M. Walsh, individually, and
as natural guardian of CRW; a minor, and
as natural guardian of SJW; a minor

Petitioners

vs.

Dr. Robert Krantz
The Dallastown Area School District
Judy Keeney

Respondents

Mrs. Shari A. Young
Dr. Sue A. Cathcart
Ms. Kelley Heisey
Dr. Stewart Weinberg
Ms. Cathy Stone
Mr. Greg Anderson
Ms. Carol Stein

Other named and served parties to the subject federal action

CERTIFICATE OF GOOD FAITH

As required by Supreme Court Rule 44.2, this petition for Rehearing is limited to intervening circumstances of a substantial and controlling effect,

and is presented in good faith and not for delay. Attorney Rehmeyer, as well as Petitioner Walsh, must respect his clients 6th Amendment rights, and his continual interference in this litigation must be heard before a jury, precipitating reason for this petition and for the Supreme Court to grant certiorari.

Semper Fidelis,
/ Rory M. Walsh

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